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09/904,319	07/12/2001	Jun Watanabe	450100-03342	1815
20999	7590	05/17/2006	EXAMINER	
FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			CHOWDHURY, NIGAR	
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			2621	

DATE MAILED: 05/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/904,319	<b>Applicant(s)</b> WATANABE ET AL.	
	<b>Examiner</b> Nigar Chowdhury	<b>Art Unit</b> 2621	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 March 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed March 6, 2006 have been fully considered but they are not persuasive.
2. In re pages 15, applicant understand that Yoshimura relates to a television receiver having a recording and reproducing function and a recording and reproducing method of a television signal such that a program is always recording on a recording medium. Applicant argues that Yoshimura fails to teach or suggest the features of claim 1. Specifically, "wherein the display-ready video signals of said recording monitor image are independent of the display-ready video signals of said playback image", recited in claim 1.
3. In response, the examiner respectfully disagrees. Yoshimura et al. discloses in Fig. 10, Col. 12 line 49 - 56 that " Fig. 10 shows an example of a display by a twin picture system. According to the twin picture ... picture plan 3 is divided into a main picture plane 3A and a sub picture plane 3B ... the video image by the real-time broadcasting is displayed in the main picture plane 3A and the reproduction video image is displayed in the sub picture plane 3B." Yoshimura teaches dual screen display system one for recording image and another one is for play back image which are independent from each other to display.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-6, 8-16 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by U.S. patent No. 6204886 by Kosuke Yoshimura.

5. Yoshimura clearly shows a recording and reproducing apparatus that includes all the limitations recited in claim 1.

- An input element (see Fig. 3 (53, 55, 55A, 55B), Col. 6 line 12-26. 55A and 55B are the video input terminal. The input element, amplified signal, which is amplified by the 53 is supplied with video signal through video input terminal 55A and 55B).
- Recorded onto storage medium (Col.1 line 41-46. Signals recorded in a hard disk drive or magnetic tape, which is storage medium).

- Reproduce from storage medium (Col. 2 line 3-5. The recorded signal is reproduced from the hard disk drive).
- A processing element (See Fig. 3 (50, 77), Col.6 line 45-54. System controller 50 and controller 77 process the recorded image and reproduce image to display)
- A controlling element (Fig.3 (59, 94), Col.9 line 10-14. Display generating circuit 94 generates the various operations. By the video output 59 different kind of images displayed such as only recording monitor image, or only playback image, or both image in dual screen).
- The display-ready video signals of recording monitor image are independent of the display - ready video signals of playback image (Fig. 10, Col. 12 line 49 – 56)

6. Regarding claim 2, a recording and reproducing apparatus according to claim 1, processing element generates a display screen indicative of a screen monitor image being selected dual-screen display image is currently on display (Fig. 10, 11, from Col. 12 line 49-Col. 13 line 8).

7. Yoshimura clearly shows a recording and reproducing apparatus that includes all the limitations recited in claim 3.

- An input element (see Fig. 3 (53, 55, 55A, 55B), Col. 6 line 12-26. 55A and 55B are the video input terminal. The input element, amplified signal, which is amplified by the 53 is supplied with video signal through video input terminal 55A and 55B).
- Recorded onto storage medium (Col.1 line 41-46. Signals recorded in a hard disk drive or magnetic tape, which is storage medium).
- Reproduce from storage medium (Col. 2 line 3-5. The recorded signal is reproduced from the hard disk drive).
- A processing element (See Fig. 3 (50, 77), Col.6 line 45-54. System controller 50 and controller 77 process the recorded image and reproduce image to display)
- A controlling element (Fig.3 (59, 94), Col.12 line 5-9. Display generating circuit 94 generates the various operations. By the video output 59 dual screen can be displayed. Fig. 10A, Col.12 line 49-56 shows twin screen display image made of real-time broadcasting, which can be recorded and reproduced video image).
- The display-ready video signals of recording monitor image are independent of the display - ready video signals of playback image (Fig. 10, Col. 12 line 49 – 56)

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8. In claim 4, applicant introduces a processing element to enlarge the selected display screen to the combination of claim 3. Yoshimura teaches PIP system (see Fig 11, Col.13 line 2-9) to display the recorded image smaller than the reproduced image at the same time. And also selected image, which can be recorded or reproduced image can be enlarge by the viewer.

9. Yoshimura clearly shows a recording and reproducing apparatus that includes all the limitations recited in claim 5.

- An input element (see Fig. 3 (53, 55, 55A, 55B), Col. 6 line 12-26. 55A and 55B are the video input terminal. The input element, amplified signal, which is amplified by the 53 is supplied with video signal through video input terminal 55A and 55B).
- Recorded onto storage medium (Col.1 line 41-46. Signals recorded in a hard disk drive or magnetic tape, which is storage medium).
- Reproduce from storage medium (Col. 2 line 3-5. The recorded signal is reproduced from the hard disk drive).
- A processing element (See Fig. 3 (50, 77), Col.6 line 45-54. System controller 50 and controller 77 process the recorded image and reproduce image to display)

- A controlling element (Fig.3 (59, 94), Col.12 line 5-9. Display generating circuit 94 generates the various operations), which controls the sign indicator while recording monitor screen is displayed in full-screen (Fig. 11C, Col. 12 line 20-27, Col. 13 line 9 and 10. Yoshimura teaches a sign indicator which can be present time or the written time of reproduction on the hard disk or the recording monitor image is now activated or full screen display is on).
- The display-ready video signals of recording monitor image are independent of the display - ready video signals of playback image (Fig. 10, Col. 12 line 49 – 56)

10. Yoshimura clearly shows a recording and reproducing apparatus that includes all the limitations recited in claim 6.

- An input element (see Fig. 3 (53, 55, 55A, 55B), Col. 6 line 12-26. 55A and 55B are the video input terminal. The input element, amplified signal, which is amplified by the 53 is supplied with video signal through video input terminal 55A and 55B).
- Recorded onto storage medium (Col.1 line 41-46. Signals recorded in a hard disk drive or magnetic tape, which is storage medium).



- Reproduce from storage medium (Col. 2 line 3-5. The recorded signal is reproduced from the hard disk drive).
- A processing element (See Fig. 3 (50, 77), Col.6 line 45-54. System controller 50 and controller 77 process the recorded image and reproduce image to display) process the recorded image and the reproduced image to display in dual screen (Fig. 3 (83), Col. 8 line 55. Image processing circuit 83 form a multiscreen to display the different screen at the same time).
- A controlling element (Fig.3 (59, 94), Col.12 line 5-9. Display generating circuit 94 generates the various operations), which controls the sign indicator while recording monitor screen and reproduce monitor screen are displayed (Fig. 11C, Col. 12 line 20-27, Col. 13 line 9 and 10; Claim 1, Col.13 line 55-58; Claim 10, Col. 14 line 45-48. Yoshimura teaches a sign indicator which can be present time or the written time of reproduction on the hard disk or ongoing recording or ongoing playback).
- The display-ready video signals of recording monitor image are independent of the display - ready video signals of playback image (Fig. 10, Col. 12 line 49 – 56)

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11. Claim 8 limits claim 6 by including a sign indicator stop, which is replaced by the pause, a still image. Yoshimura shows a program pause key 16, when it pressed program stopped and still image displayed (Fig.2, Col. 5 line 22-29) and at the same time indicator displayed (Col. 12 line 28, 29).

12. Yoshimura teaches a recording and reproducing method that includes all the limitations recited in claim 9.

- Recorded onto storage medium (Col.1 line 41-46. Signals recorded in a hard disk drive or magnetic tape, which is storage medium).
- Reproduce from storage medium (Col. 2 line 3-5. The recorded signal is reproduced from the hard disk drive).
- Display-ready video signals (See Fig. 3 (50, 77), Col.6 line 45-54. System controller 50 and controller 77 controls to generate the recorded image and reproduce image to display)
- Selectively activating (Fig.3 (59, 94), Col.9 line 10-14. Display generating circuit 94 generates the various operations and video output 59 displays different kind of images such as only recording monitor image, or only playback image, or both image in dual screen which can be selectively activated).

- The display-ready video signals of recording monitor image are independent of the display - ready video signals of playback image (Fig. 10, Col. 12 line 49 – 56)

13. Yoshimura clearly shows a recording and reproducing method that includes all the limitations recited in claim 10.

- Recorded onto storage medium (Col.1 line 41-46. Signals recorded in a hard disk drive or magnetic tape, which is storage medium).
- Reproduce from storage medium (Col. 2 line 3-5. The recorded signal is reproduced from the hard disk drive).
- Display-ready video signals (See Fig. 3 (50, 77), Col.6 line 45-54. System controller 50 and controller 77 controls to generate the recorded image and reproduce image to display)
- Making a dual screen display (Fig.3 (59, 94), Col.12 line 5-9. Display generating circuit 94 generates the various operations. By the video output 59 dual screen can be displayed. Fig. 10A, Col.12 line 49-56 shows twin screen display image made of real-time broadcasting, which can be recorded and reproduced video image).

- The display-ready video signals of recording monitor image are independent of the display - ready video signals of playback image (Fig. 10, Col. 12 line 49 – 56)

14. Yoshimura teaches a recording and reproducing method that includes all the limitations recited in claim 11.

- Recorded onto storage medium (Col.1 line 41-46. Signals recorded in a hard disk drive or magnetic tape, which is storage medium).
- Reproduce from storage medium (Col. 2 line 3-5. The recorded signal is reproduced from the hard disk drive).
- Display-ready video signals (See Fig. 3 (50, 77), Col.6 line 45-54. System controller 50 and controller 77 controls to generate the recorded image and reproduce image to display)
- The sign indicator indicates while recording monitor screen is displayed in full-screen (Fig. 11C, Col. 12 line 20-27, Col. 13 line 9 and 10. Yoshimura teaches a sign indicator which can be present time or the written time of reproduction on the hard disk or the recording monitor image is now activated or full screen display is on).

- The display-ready video signals of recording monitor image are independent of the display - ready video signals of playback image (Fig. 10, Col. 12 line 49 – 56)

15. Yoshimura clearly shows a recording and reproducing method that includes all the limitations recited in claim 12.

- An input element (see Fig. 3 (53, 55, 55A, 55B), Col. 6 line 12-26. 55A and 55B are the video input terminal. The input element, amplified signal, which is amplified by the 53 is supplied with video signal through video input terminal 55A and 55B) inputting the video signal.
- Recorded onto storage medium (Col.1 line 41-46. Signals recorded in a hard disk drive or magnetic tape, which is storage medium).
- Reproduce from storage medium (Col. 2 line 3-5. The recorded signal is reproduced from the hard disk drive).
- A display-ready video signals (See Fig. 3 (50, 77), Col.6 line 45-54. System controller 50 and controller 77 process the recorded image and reproduce image to display) constitute the recorded image and the reproduced image to display in dual screen (Fig. 3 (83), Col. 8 line 55. Image processing circuit 83 form a multiscreen to display the different screen at the same time).

- The sign indicator indicates while recording monitor screen and reproduce monitor screen are displayed (Fig. 11C, Col. 12 line 20-27, Col. 13 line 9 and 10; Claim 1, Col.13 line 55-58; Claim 10, Col. 14 line 45-48. Yoshimura teaches a sign indicator which can be present time or the written time of reproduction on the hard disk or ongoing recording or ongoing playback).
- The display-ready video signals of recording monitor image are independent of the display - ready video signals of playback image (Fig. 10, Col. 12 line 49 – 56)

16. In claim 13-16, applicant introduces a storage medium that stores program for computer to execute recording, reproducing, and display the image. Applicant clearly shows that a storage medium can be a hard disk, which can stores different kinds of information and programs (Page 29, line 23, 24). Yoshimura teaches a storage medium, hard disk that include all the limitation recite in claim 13.

- Recorded onto storage medium (Col.1 line 41-46. Signals recorded in a hard disk drive or magnetic tape, which is storage medium).
- Reproduce from storage medium (Col. 2 line 3-5. The recorded signal is reproduced from the hard disk drive).

- Display-ready video signals (See Fig. 3 (50, 77), Col.6 line 45-54. System controller 50 and controller 77 controls to generate the recorded image and reproduce image to display)
- Making a dual screen display (Fig.3 (59, 94), Col.12 line 5-9. Display generating circuit 94 generates the various operations. By the video output 59 dual screen can be displayed. Fig. 10A, Col.12 line 49-56 shows twin screen display image made of real-time broadcasting, which can be recorded and reproduced video image).
- The display-ready video signals of recording monitor image are independent of the display - ready video signals of playback image (Fig. 10, Col. 12 line 49 – 56)

17. Yoshimura clearly shows a storage medium that includes all the limitations recited in claim 14.

- Recorded onto storage medium (Col.1 line 41-46. Signals recorded in a hard disk drive or magnetic tape, which is storage medium).
- Reproduce from storage medium (Col. 2 line 3-5. The recorded signal is reproduced from the hard disk drive).

- Display-ready video signals (See Fig. 3 (50, 77), Col.6 line 45-54. System controller 50 and controller 77 controls to generate the recorded image and reproduce image to display)
- Making a dual screen display (Fig.3 (59, 94), Col.12 line 5-9. Display generating circuit 94 generates the various operations. By the video output 59 dual screen can be displayed. Fig. 10A, Col.12 line 49-56 shows twin screen display image made of real-time broadcasting, which can be recorded and reproduced video image).
- The display-ready video signals of recording monitor image are independent of the display - ready video signals of playback image (Fig. 10, Col. 12 line 49 – 56)

18. Yoshimura teaches a hard disk work as storage medium that includes all the limitations recited in claim 15.

- Recorded onto storage medium (Col.1 line 41-46. Signals recorded in a hard disk drive or magnetic tape, which is storage medium).
- Reproduce from storage medium (Col. 2 line 3-5. The recorded signal is reproduced from the hard disk drive).



- Display-ready video signals (See Fig. 3 (50, 77), Col.6 line 45-54. System controller 50 and controller 77 controls to generate the recorded image and reproduce image to display)
- The sign indicator indicates while recording monitor screen is displayed in full-screen (Fig. 11C, Col. 12 line 20-27, Col. 13 line 9 and 10. Yoshimura teaches a sign indicator which can be present time or the written time of reproduction on the hard disk or the recording monitor image is now activated or full screen display is on).
- The display-ready video signals of recording monitor image are independent of the display - ready video signals of playback image (Fig. 10, Col. 12 line 49 – 56)

19. Yoshimura teaches a storage medium, which includes all the limitations recited in claim 16.

- An input element (see Fig. 3 (53, 55, 55A, 55B), Col. 6 line 12-26. 55A and 55B are the video input terminal. The input element, amplified signal, which is amplified by the 53 is supplied with video signal through video input terminal 55A and 55B) inputting the video signal.
- Recorded onto storage medium (Col.1 line 41-46. Signals recorded in a hard disk drive or magnetic tape, which is storage medium).

- Reproduce from storage medium (Col. 2 line 3-5. The recorded signal is reproduced from the hard disk drive).
- A display-ready video signals (See Fig. 3 (50, 77), Col.6 line 45-54. System controller 50 and controller 77 process the recorded image and reproduce image to display) constitute the recorded image and the reproduced image to display in dual screen (Fig. 3 (83), Col. 8 line 55. Image processing circuit 83 form a multiscreen to display the different screen at the same time).
- The sign indicator indicates while recording monitor screen and reproduce monitor screen are displayed (Fig. 11C, Col. 12 line 20-27, Col. 13 line 9 and 10; Claim 1, Col.13 line 55-58; Claim 10, Col. 14 line 45-48. Yoshimura teaches a sign indicator which can be present time or the written time of reproduction on the hard disk or ongoing recording or ongoing playback).
- The display-ready video signals of recording monitor image are independent of the display - ready video signals of playback image (Fig. 10, Col. 12 line 49 – 56)

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

20. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6204886 to Yoshimura as set forth in the last office action.

Yoshimura teaches sign indicator, which indicates time difference of present time and reproduction time but Yoshimura fails to teach a sign indicator, which indicates stop recording by erasing the ongoing recording sign. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have a sign indicator which erased after recording is done means when work is done, indicator eased. It is like a micro oven or a television channel. When we start to warm up our food, we press start key and sign indicates that oven is working. When oven finish working there is no sign indicator means food is already warm up. Same thing happened in a television channel. When we press the channel key to change the channel, a sign indicator come up at the corner of the TV to indicate which channel is running now but when we press power key to stop watching, TV turn off and there is sign indicator.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

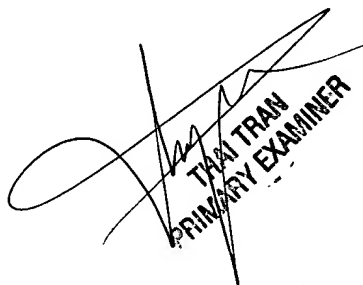
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nigar Chowdhury whose telephone number is 571-272-8890. The examiner can normally be reached on 9 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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05/09/2006

  
TAM TRAN  
PRIMARY EXAMINER